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Ms. Magalie Roman Sales
Secretary
Federal Communications Commission
445 Twelfth Street, SW
12 Street Lobby - TW-A325
Washington, DC 20554

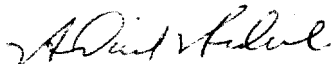
Re: Amendment of Section 73.202(b)
Table of Allotments
Butler, Georgia
MM Docket No. ~~01-05~~; RM-10028

Dear Ms. Salas:

Transmitted herewith on my behalf is an original and four copies of my Reply Comments in support of the allotment of Channel 245A at Butler, Georgia, pursuant to the Notice of Proposed Rule Making, DA-01-60 released January 12, 2001, in the above-referenced proceeding. This document addresses the Counterproposal filed by Smithwick & Belendiuk, P. C. on behalf of Fort Valley State University requesting the allocation of FM Channel 245A to Reynolds, Georgia instead of Butler, Georgia.

Should any questions arise concerning this matter, please contact me directly.

Sincerely,



H. David Hedrick
P O Box 27
Gray, Georgia 31032
(478-986-4435)

Enclosures

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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of)	MM Docket No. 01-05
)	RM—10028
Amendment of Section 73.202(b))	
(Table of Allotments))	
FM Broadcast Stations)	

Butler, GA

To: Chief, Mass Media Bureau
Policy and Rules Division
Allocations Branch

REPLY COMMENTS

The undersigned (H. David Hedrick) hereby files reply comments to the Counterproposal filed by Fort Valley State University in this rulemaking proceeding. The Commission's NPRM # DA 01-60 released January 12, 2001 proposes to allot Channel 245A to Butler, GA as it's first aural service following my petition.

BACKGROUND

- 1) As my petition showed, Channel 245A can be assigned to Butler, GA without site restriction. I filed timely comments reaffirming my intention to apply for the Channel when allocated.
- 2) Fort Valley State proposes to allocate 245A to Reynolds, GA, & reserve it for noncommercial use so the school can gain an advantage through the allocations process.

DISCUSSION

The counterproposal which I have received has several erroneous facts and omissions which I wish to call to the attention of the Commission.

Regarding the selection of Reynolds vs. Butler, Fort Valley State (FVS) chooses to ignore the fact that Butler has 500+ more residents than Reynolds. FVS chooses to ignore the fact that Butler is the County seat, and as such serves as the commercial & business hub of the county. Reynolds has NO schools. Reynolds has NO medical clinic. In fact, FVS relies solely upon the information it's attorney obtained in a telephone call & from Yahoo.

Upon discovering that the channel would meet Commission spacing requirements, I personally visited both Butler and Reynolds, and determined Butler to be far and away the best choice. Had FVS or their attorney done so, they would know that the name of the county is TAYLOR.

In reality, and as their comments admit, they are not concerned with service to Reynolds, or Taylor County. Their sole objective is to provide service to a community (Fort Valley) that already has four radio station licenses (Exhibit 1). FVS also states that the Commission should act in their favor because they wish to serve their primarily African-American enrollment. Two of the four stations licensed to Fort Valley program 100 per cent to the African American community (Exhibit 2).

The FVS technical exhibit states that the school has been trying to obtain an FM station "For years" to no avail. They could not have been trying too hard-at least 13 other colleges in the state have FM licenses (Exhibit 3). In fact there are two area Class C FM's in the educational band that have been licensed since 1988 (Exhibit 4). FVS says that "This is simply the last opportunity the college will have to obtain a non-commercial FM channel." Not true: The Commission has stated it's intention to open subsequent rounds of LPFM windows after all the states have been cycled. A study from the Commission's "LPFM Channel Finder" shows four channels available for use at Fort Valley (Exhibit 5). As far as service to Reynolds is concerned, it is possible to locate the 245A transmitter site to provide 70dBu over both Butler & Reynolds (Exhibit 6).

Additionally, the counterproposal document states that Butler receives 60 dBu service from WVRK Columbus, GA 57 km away, WVFJ Manchester, GA 48 km away & WQBZ Fort Valley (75% coverage) 51 km away. Butler receives NO 70dBu LOCAL service. Fort Valley on the other hand, as we show in Exhibit 1, receives 4 city grade signals.

SUMMATION

In reality, Butler and Taylor County are a small isolated area of some 8000 people who have no means of obtaining daily local news and/or weather bulletins. As 245A is the ONLY FM channel that will meet the spacing requirements, it is requested that the Commission amend Section 73.202(b) of the table of assignments, & issue a Report and Order allocating it to Butler, GA as it's first aural service, denying the FVS Counterproposal; as follows:

GEORGIA

Butler:	Present None	Proposed 245A
Reynolds:	None	None

Respectfully submitted,



H. David Hedrick
PO Box 27
317 Stonegables Ct.
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478-986-4435

EXHIBIT 1

Stations Licensed to Fort Valley, GA

FM

WJTG-Channel 217C1@N32-41-27W83-51-45-100KW@140 metersAAT

WIBBFM-Channel 250C3@N32-34-12W83-45-26-25KW@152 metersAAT

WQBZ-Channel 292C2@N32-45-31W83-44-49-50KW@150 metersAAT

AM

WXKO-1150-1KW-D/60w night@N32-34-34W83-54-17

EXHIBIT 2

Stations licensed to Fort Valley featuring African-American Programming

FM

WIBB-FM-100 per cent African-American, Arbitron rated # 1 in Peach county

AM

WXKO-100 per cent African-American & African-American owned & operated

EXHIBIT 3

GEORGIA Educational FM Licenses

University of Georgia: WUGA-1987

University of Georgia: WUOG-1972

Clark University: WCLK-1974

GA State University: WRAS-1971

Georgia Tech: WREK-1968

Augusta College: WACG-1970

West Georgia U: WWCG-1973

Brenau University: WBCX-1977

Sou. College of Tech: WGHR-1981

Georgia St. Coll. & U: WGUR-1975

Savannah State U: WHCU-1975

Abraham Baldwin: WPLH-1988

Toccoa Falls Coll: WRAF-1980

Valdosta St. Univ: WVVS-1971

EXHIBIT 4

Recent NonCommercial FM Licenses near Fort Valley GA

WJTG-Ft. Valley-1989

WPWB-Byron-1988

EXHIBIT 5

LPFM Channel Finder

Audio Services Division, FCC

The coordinates entered:

21.1315° latitude, 83.9047° longitude

(or 32.5542, 83.9047 in decimal degrees)

have passed the minimum spacing tests: a channel or channels exist on which a LPFM station could operate in accordance with the LPFM spacing rules.

Channels Available for LPFM LP100 Use
[Channels 201 to 300, corresponding to 88.1 to 107.9 MHz]

Channel 240 ---- 95.9 MHz

Channel 241 ---- 96.1 MHz

Channel 282 ---- 104.3 MHz

Channel 283 ---- 104.5 MHz

Available Channels Interference Analysis

The following table lists the acceptable channels above, and indicates which channels will be free from interference (using the current database) or what FM stations might cause interference to the LPFM station on a given channel. This analysis assumes that the FM stations are operating with the reference facilities for the FM station's class.

If interference is possible, the following table will contain:

- Call Sign of the interfering station
- Channel of that station Channel relationship: 0 = same channel; 1 = first-adjacent channel; 2 = Second-adjacent channel
- Actual separation (in km)
- Minimum Separation for no interference within the 60 dBu contour

(based on reference facilities and flat terrain)

Channel 282

Channel 240 Subject to interference from:

WQZY 240 0 127.2 178.0

Channel 241 Subject to interference from:

WKLS 241 0 144.8 203.0

WJIZ-FM 242 1 103.0 111.0

Channel 283 Subject to interference from:

WKAK 283 0 111.8 178.0

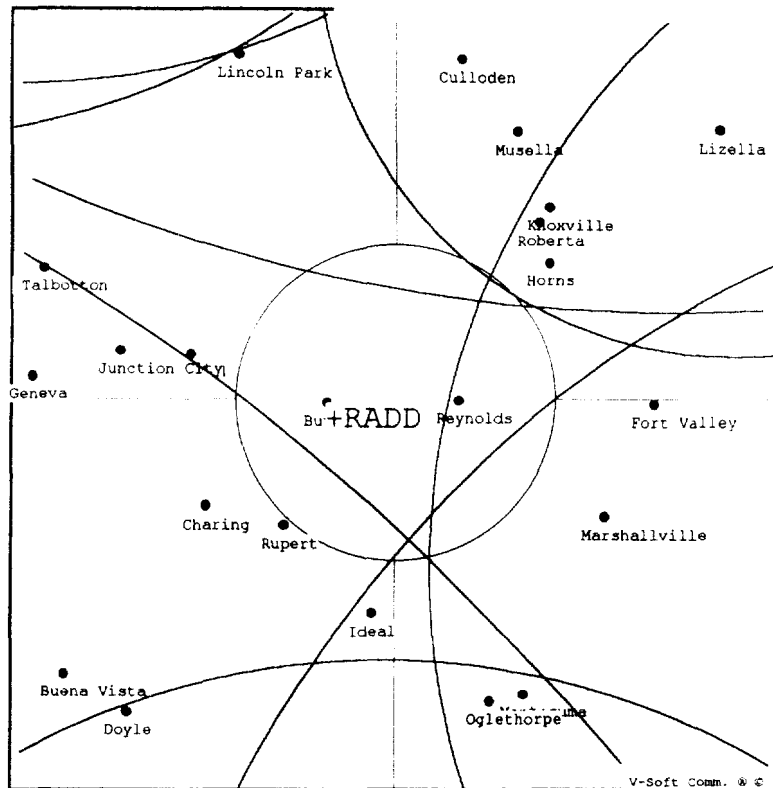
EXHIBIT 6

245A 70dBu

FMCONT^(TM) LOCATE STUDY

Ch 245 A
96.9 MHz

N. Lat. 32 33 34
W. Lng. 84 09 51



Call	CH#	Location		D-KM	Azi	FCC	Margin
RADD	245A	Butler	GA	6.97	267.7	115.0	-108.03
WVMGFM	244A	Cochran	GA	77.19	102.1	72.0	5.19
WDJR	245C	Enterprise	AL	235.37	219.7	226.0	9.37
WRDO	245A	Fitzgerald	GA	125.42	136.1	115.0	10.42
WFOX	246C	Gainesville	GA	176.00	9.2	165.0	11.00
WRNCFM	243C3	Gray	GA	57.38	36.3	42.0	15.38
WJIZFM	242C1	Albany	GA	100.36	180.7	75.0	25.36
WLDA.C	244A	Peachtree City	GA	109.84	340.1	72.0	37.84
WLDA	244A	Peachtree City	GA	110.19	332.6	72.0	38.19
WMXA	244A	Opelika	AL	113.27	270.6	72.0	41.27
WAKB	245C3	Wrens	GA	192.09	65.6	142.0	50.09
WMGRFM	247C	Bainbridge	GA	160.00	193.0	95.0	65.00
WMGRFM	247C	Bainbridge	GA	160.02	193.1	95.0	65.02
WUFFFFM	248A	Eastman	GA	96.26	112.4	31.0	65.26
WHTA.C	248C3	Fayetteville	GA	109.84	340.1	42.0	67.84
WHTA	248C3	Fayetteville	GA	110.58	339.5	42.0	68.58

Dave Hedrick Bernice Hedrick

CERTIFICATION


State of Georgia)
City of Gray)
Jones County)

H. David Hedrick, under penalty of perjury, declares and says:

That he is a radio broadcast consultant, active in the industry for four decades; having obtained a First Class (currently General) FCC license in 1961. Since Docket 80-90 he has had numerous petitions for FM rulemakings accepted by the Commission.

That he personally prepared the exhibits included in these Reply Comments concerning the Counterproposal filed by Smithwick & Belendiuk, P. C. on behalf of Fort Valley State University requesting the allocation of FM Channel 245A to Reynolds, Georgia instead of Butler, Georgia.

All material and exhibits thereto, are believed to be true and correct, as of the date of this writing.



H. David Hedrick
P O Box 27
Gray, Georgia 31032
478-9886-4435

DATED: March 11, 2001

CERTIFICATE OF SERVICE

I, H. David Hedrick, hereby certify that on March 11, 2001 the foregoing document is being served by First Class Mail, postage prepaid, to the following:

Gary S. Smithwick
Smithwick & Belendiuk, P.C.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, D.C. 20016
Attorney for Fort Valley State Univ.



H. David Hedrick